

dition of Jones; that though the said Jones was thus irretrievably insolvent, and had stopped payment, he yet evaded or deferred applying for the benefit of the insolvent laws, for the purpose, not only, the longer of holding and enjoying the possession of his property, but of consummating his plan of securing his favored creditors.

The bill then prayed that the said Jones be enjoined from conveying, assigning or transferring any of his property or effects, rights or credits, to the said Albert and wife, or either of them, to the said Norman, or any other of his creditors, or to any one else in trust for them, to secure or pay the debts due from the said Jones to them respectively, in preference to the rest of his creditors. And that the said Albert and wife, and Norman, may be restrained from receiving such preference—that a receiver might be appointed to take charge of the said property and effects, in order that when a trustee should thereafter be appointed according to the provisions of the insolvent laws, the same might be delivered to such trustee. And the bill prayed further for general relief.

Upon this bill, which was filed in anticipation of the application by Jones for the benefit of the insolvent laws, an injunction, to the extent prayed, was granted by the late Chancellor, which still remains in full force; no answer to it, by any of the parties, having been filed when the present bill was laid before the court for an injunction; nor have the answers of some of the parties been filed at this time.

It seems to me, that by this bill of September, 1846, this court had jurisdiction over the subject of the insolvent estate of Jones; and that so long as that bill was depending, or, at any rate, so long as the injunction granted upon it remained in force, the parties against whom that injunction was directed had no right in any way to secure to themselves a preference over the other creditors of the insolvent. The jurisdiction had attached before the application was made to the Baltimore County Court, and the parties, Albert and wife, knew it, for the process of this court had been served upon them. Now suppose, while the injunction upon the bill of the 14th of Sep